

## EMERGENCY MANAGEMENT\*

### Sec. 13-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Department* means the office of emergency management of the finance and administration department of the city.
  - (2) *Director* means the director of finance and administration.
  - (3) *Disaster* means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, or other public calamity requiring emergency action.
- (Ord. No. 04-682, § 10, 6-23-04)

### Sec. 13-2. Creation of office.

There is hereby created the office of emergency management of the City of Houston, which shall be an office within the finance and administration department.

(Ord. No. 04-682, § 10, 6-23-04)

### Sec. 13-3. References to civil defense in this Code.

Any reference to the "department of civil defense" or the "civil defense department" within this Code shall be construed to mean the "office of emergency management of the finance and administration department" of the city. Any reference to the "civil defense director" or "director of

civil defense" within this Code shall be construed to mean the "director of finance and administration."

(Ord. No. 04-682, § 10, 6-23-04)

### Sec. 13-4. Departmental duties.

The department shall, in cooperation with the state and the United States of America establish a level of disaster preparedness for the city which will enable city government to react promptly and effectively to protect lives and property during a civil disaster. To effect this general purpose, the department shall:

- (1) Prepare an emergency management program for the city.
- (2) Survey and establish the availability of personnel, equipment, supplies and services which could be used in implementing the emergency management program.
- (3) Maintain effective liaison and coordination with other governmental units and emergency management services organizations in developing an emergency management program.
- (4) Maintain a secure facility to accommodate the basic functions of city government during a disaster.
- (5) Maintain an emergency communications system for the city for use during a disaster.
- (6) Establish a city-wide warning system and an emergency public information system for use during a disaster.
- (7) Train the emergency management services organization of the city.
- (8) Coordinate, in time of war, all city functions in support of the armed forces of the United States. In connection with this responsibility, the department may assem-

\***Editor's note**—Section 10 of Ord. No. 04-682, adopted June 23, 2004, amended Ch. 13 in its entirety to read as herein set out. Chapter 13 was formerly titled "Houston Emergency Center," and derived from § 14k of Ord. No. 2002-528, adopted June 19, 2002.

ble and authorize volunteer units to assist the armed forces and to deny the resources of the city to the enemy.

- (9) Cooperate in interjurisdictional disaster emergency management planning and operations with other political subdivisions having contracts therefor with the city, if any.
  - (10) Assist and coordinate with the mayor and other city officers and departments in carrying out their responsibilities during periods of declared disaster emergency.
- (Ord. No. 04-682, § 10, 6-23-04)

**Sec. 13-5. Civil defense volunteer units.**

The director may organize civil defense volunteer units, and prescribe qualifications for such volunteers. Volunteers may be dismissed by the director at any time, shall receive no salary, wage, or other compensation whatsoever, shall not be entitled to any pension rights, local or state civil service rights, or other rights and privileges of employees of the city, and shall not for any purpose be deemed employees of the city. The director may cause members of the volunteer units to be given such instruction and training as will insure that each unit is well organized and coordinated to protect life and property in the city in the event of a civil disaster. The director of civil defense may delegate certain functions of his office to volunteer deputy directors. The director shall insure that each civil defense officer or volunteer meets all qualifications required by state or federal law and takes the oaths required by state and federal law, if any, before entering upon his duties.

**Sec. 13-6. Interference with civil defense activities, etc.**

- (a) The following acts shall be unlawful:
  - (1) Failure to comply with lawful orders issued by authority of the city during a declared state of disaster.
  - (2) Any act which endangers the lives, or obstructs, hinders or delays the activities of authorized civil defense personnel, civil

defense volunteers, or other authorized city personnel in their attempt to control a disaster;

- (3) Any act which adversely contributes to the extent or intensity of a disaster.
- (4) The wearing, carrying or displaying of any emblem, insignia or any other means of identification as a member of the department, unless authority to so do has been granted to such person by the director.
- (5) The operation of a siren or other device so as to simulate a warning signal, or the termination of a warning, without express written authorization of the director.

(b) Violations of the provisions of subsection (a), upon conviction, shall be punished as provided by section 1-6 of this Code. Subsection (a) is not to be construed so as to infringe upon the constitutional freedom of the press.

(Ord. No. 92-1449, § 29, 11-4-92)

**Charter reference**—Penalty for ordinance violation, Art. II, § 12.

**Cross references**—Assessment of fines against corporations, § 16-76; payment of fines, § 16-78; credit against fines for incarceration, § 35-6 et seq.